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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/708,449	03/04/2004	Juana Victoria Bulatao	030608	2448

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EXAMINER

BEAULIEU, YONEL

ART UNIT PAPER NUMBER

3661

DATE MAILED: 11/03/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/708,449

Applicant(s)

BULATAO ET AL.

Examiner

Yonel Beaulieu

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 June 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-40 is/are pending in the application.
- 4a) Of the above claim(s) 36-40 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-35 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☒ Claim(s) 1-35 are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Election/Restrictions

Applicant's election without traverse of Group I, claims 1 – 35, in the reply filed on 6/21/06 is acknowledged. Claims 36 – 40 are withdrawn for further consideration as directed to non-elected subject matter.

Claim Objections

Claim 1 is objected to because of the following informalities: at line 1, it is suggested to insert - -a- - before "watercraft".. Appropriate correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1 – 8 and 19 - 27 rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 4,063,240 to Isbister et al ("Isbvister").

Regarding claims 1 – 8 and 19 – 27, Isbister teaches a navigational aid for a watercraft navigating a waterway being a river or a canal, the navigation aid comprising: one or more sensors (18a – 18n at least) and one or more antennae (13a, 13b, 14), in close proximity, for determining the position of said watercraft with respect to nearby landmarks (around the jetty); and a feedback device for updating a pilot of said

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watercraft as to said position, the feedback device is selected from a group providing a visual (display) and audio (voice) feedback (see fig. 1; note col. 1, lines 6 – 13 and 47 – 54; col. 1, line 67 – col. 2, line 27 at least); the navigational aid is coupled wirelessly (as illustrated in fig. 1) via a Bluetooth (short-range communication) network (col. 2, line 50 – col. 3, line 16 at least).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 9 – 18 and 28 – 35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Isbister (240) in view of Worthsmith (US 6,995,662 B2) and Syska et al. (Us 5,808,193).

As discussed above, Isbister teaches all of the limitations except for the explicit recitation of the navigational aid compliance with the 802.11(b) standard, the sensors being hard-wired and one or more being a GPS receiver currents indication in the waterway.

However, it is the Examiner's position to make the navigational aid compliant with the 802.11(b) is old and well-known; as to the hard-wiring aspect, Isbister teaches

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wireless technique that performs just well; even though Isbister teaches positional information, Isbister is silent on such being derived using GPS technology and is also silent on the currents in the waterway. However, Worthsmith teaches, in the same field of endeavor of navigational aid for a watercraft, the suggestion in such a field to use GPS (col. 3, lines 62 – 7 at least) and Syska teaches waterway currents and weather condition (col. 2, lines 42 – 47 and col. 3, lines 3 – 57 at least).

It would have been obvious to one of ordinary skill in the art at the time of the invention to have modified Isbister's teaching by including the use of GPS and waterway currents indication as evidenced by Worthsmith and Syska in order to accurately detect the position of the watercraft and smoothly guide the craft, respectively.

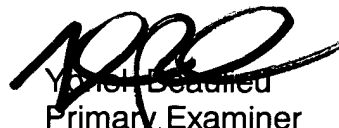
Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yonel Beaulieu whose telephone number is (571) 272-6955. The examiner can normally be reached on Mon., Wed. & Thur. between 0900 and 1600.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas BLACK can be reached on (571) 272-6956. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


Yeh-Jeh Beaudin
Primary Examiner
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